

REMARKS

Applicants have amended claims 1-15 to conform with U.S. patent practice.

As amended claims 1-8 are drawn to methods for the prevention and/or treatment of a disease characterized by the accumulation of amyloid deposits in the brain of a patient by administering a peptide, rather than drawn to the “The use of a peptide . . . for the prevention and/or treatment of a disease comprising the accumulation of amyloid deposits in the brain of a patient...”

As amended claims 9-15 are drawn to methods for the prevention and/or treatment of a disease characterized by the accumulation of amyloid deposits in the brain of a patient by administering an antibody, rather than “Use of an antibody or an active fragment or derivative of an antibody . . . for the prevention and/or treatment of a disease comprising the accumulation of amyloid deposits in the brain of a patient.”

Applicants have added new claims 16-19, relating to a vaccine comprising the peptide of claim 1 or a vaccine comprising the antibody of claim 9. Support for claims 16-19 is found e.g., in the original claims, on page 3, lines 1 to 16, on page 5, lines 1-18 and in the Examples.

The Office has subjected the claims to a restriction requirement. Applicants hereby elect, with traverse, the claims of Group II, claims 1-4 and 6-7 drawn the use of a peptide of SEQ ID NO: 2 and SEQ ID NO:3 conjugated to a protein that acts as an immunogen for the production of antibodies able to specifically recognize any of the predominant variants of the peptide beta amyloid.

Applicants request that the Examiner reconsider and also examine the claims of Group V, claims 9-11 and 13-14 drawn to the use of an antibody or active fragment or derivative of an antibody that specifically recognizes any of

the predominant variants of the beta amyloid peptide wherein the antibody is obtained by immunization of mammals or birds with the peptides of SEQ ID NO:2 or NO:3. Applicants request that new claims 16-19, insofar as they relate to SEQ ID NO: 2 and SEQ ID NO: 3, also be included with the claims examined in this application.

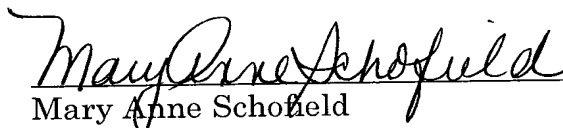
Although patentably distinct, all the claims require the use of the same set of short peptide sequences for the production of antibodies, either for active immunization or for passive immunization. Therefore, the searches of the claims would significantly overlap and not present the Examiner with an undue burden to search or examine the claims of Groups II and V in the same application.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 105090.61194US).

Respectfully submitted,

September 4, 2009


Mary Anne Schofield
Registration No. 36,669

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
MAS:mas